

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 215488  
ORIGIN ARA-14

INFO OCT-01 ISO-00 /015 R

66011  
DRAFTED BY ARA/CCA:WAYNE S. SMITH  
APPROVED BY WAYNE S. SMITH  
-----103742 250840Z /21  
R 241935Z AUG 78  
FM SECSTATE WASHDC  
INFO USINT HAVANA 2999

LIMITED OFFICIAL USE STATE 215488

FOL RPT MEXICO 13849 SENT ACTIONSECSTATE ALL USCONS MEXICO  
AUG 23, 1978

QUOTE: LIMITED OFFICIAL USE MEXICO 13849

E.O. 11652: N/A  
TAGS: PDIP, MX, US  
SUBJECT: MEXICAN PRESS REPORT ON CONVICTIONS REGARDING  
CUBAN CONSUL KIDNAPPING.

REF: STATE 206012

1. NEWS SUMMARY REPORT REGARDING THE SENTENCING OF GASPAR  
EUGENIO JIMENEZ ESCOBEDO AND ORESTES RUIZ HERNANDEZ,  
DEFENDANTS IN A CASE STEMMING FROM A KIDNAP ATTEMPT AGAINST  
THE CUBAN CONSUL IN MERIDA JULY 1976 WHICH RESULTED IN THE  
MURDER OF THE CONSUL'S CHAUFFEUR, IS INACCURATE. ACTUALLY,  
ON JUNE 27, JUDGE RAUL MURILLO DELGADO, THE DISTRICT COURT  
JUDGE HAVING JURISDICTION IN THE CASE, UPHELD THE DENIAL  
OF AN "AMPARO" (A MEXICAN JUDICIAL MANEUVER SOMEWHAT SIMI-  
LAR TO AN APPEAL OR A MOTION TO DISMISS UNDER OUR JUDICIAL  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 215488

SYSTEM) WHICH HAD BEEN SOUGHT BY THE LAWYERS OF JIMENEZ  
ESCOBEDO AND RUIZ HERNANDEZ.

2. DENIAL OF THE AMPARO PAVES THE WAY FOR THE CONTINU-  
ATION OF THE CASE AGAINST THE DEFENDANTS. THE AMPARO HAD  
BEEN BASED ON AN ARGUMENT THAT JIMENEZ AND RUIZ WERE  
MENTALLY DISTURBED AT THE TIME OF THEIR ARREST.

ACCORDING TO RAUL JIMENEZ O'FARRILL, THE DIRECTOR OF PROCESS CONTROL FOR THE MEXICAN FEDERAL ATTORNEY GENERAL'S OFFICE, THE AMPARO PROCESS HAS NO EFFECT ON THE EXTRADITION REQUEST FOR JIMENEZ ESCOBEDO OR FOR THE OTHER DEFENDANT IN THE CASE, GUSTAVO CASTILLO.

3. THE DISCREPANCY IN THE REPORTED NAME, I. E. GASPARIO EUGENIO MENDEZ DELGADO IN PLACE OF GASPAR EUGENIO JIMENEZ ESCOBEDO, IS THE RESULT OF INACCURATE REPORTING BY THE MEXICAN PRESS MEDIA.

4. GUSTAVO CASTILLO, GASPAR JIMENEZ ESCOBEDO, AND ORESTES RUIZ HERNANDEZ WERE ALL ALLEGEDLY INVOLVED IN THE KIDNAP ATTEMPT. CASTILLO ESCAPED CAPTURE BY MEXICAN AUTHORITIES BUT EVENTUALLY WAS APPREHENDED BY U. S. AUTHORITIES. JIMENEZ AND RUIZ WERE CAPTURED BY THE MEXICANS SHORTLY AFTER THE INCIDENT AND RUIZ HAS BEEN IN CUSTODY EVER SINCE. JIMENEZ ESCAPED FROM PRISON IN MARCH 1977 BUT WAS RECAPTURED BY U. S. AUTHORITIES AND IS BEING HELD ALONG WITH CASTILLO IN MIAMI.

5. FYI: UNDER MEXICAN LEGAL SYSTEM, DEFENDANTS CANNOT BE TRIED OR SENTENCED IN ABSENTIA. MCANINCH  
UNQUOTE CHRISTOPHER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** KIDNAPPING, PRESS COMMENTS, CONSULS, TRIALS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 24 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE215488  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** WAYNE S. SMITH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780348-0312  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780827/aaaaawgn.tel  
**Line Count:** 85  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 8d52105c-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN ARA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 206012  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1630917  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MEXICAN PRESS REPORT ON CONVICTIONS REGARDING CUBAN CONSUL KIDNAPPING.  
**TAGS:** PDIP, SOPN, MX, US, CU  
**To:** HAVANA  
**Type:** TE  
**vdkgwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/8d52105c-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014